

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, MAY 6, 1997  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:16 a.m. Jim Brown presented Council with an update on the Super Bowl plans. He announced that anyone who wanted to volunteer to work on the Super Bowl should call 226-1998.

Mayor Golding acknowledged and welcomed Police Officers Steve Dyer and Sandra Oplinger. Officer Dyer responded to an armed robbery call which resulted in the arrest of a convicted felon who recently escaped from Vacaville State Prison. Officer Oplinger, while off-duty, witnessed a man running down the street with money and red dye falling out of his shirt. Officer Oplinger, after recognizing the dye as the type used by banks in anti-robbery dye packs, pursued the robbery suspects and was able to hold both suspects until on-duty police officers arrived. Mayor Golding stated that both of these acts were courageous and should be recognized as examples of what officers can, and do, face on a daily basis.

Mayor Golding recessed the regular meeting at 10:31 a.m. to convene the Redevelopment Agency. The regular meeting was reconvened at 10:33 a.m. with all Council Members present. Mayor Golding recessed the regular meeting at 12:11 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:11 p.m. with Council Member Warden not present. Mayor Golding adjourned the meeting at 4:20 p.m. into Closed Session in the twelfth floor conference room to discuss anticipated and pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present

- (5) Council Member Warden-present
  - (6) Council Member Stallings-present
  - (7) Council Member McCarty-present
  - (8) Council Member Vargas-present
- Clerk-Abdelnour/Fishkin (mc/pr)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

ITEM-PC-5:

Comment by Karen Longstreth regarding the "Saturday Night Special Ban." She asked Council to docket this issue as soon as possible so that San Diego can join the other 31 cities and communities in California that have already passed an ordinance banning the sell of Saturday Night Specials.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A023-048.)

COUNCIL COMMENT:

ITEM-CC-8:

Council Member Warden acknowledged and welcomed students from Christian Heritage Elementary School.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A049-054.)

ITEM-310: DENIED

SUBJECT: Request by Mr. and Mrs. B.P. Lester, et. al, for a hearing of an appeal from the decision of the Planning Commission in approving the La Jolla Shores Planned District Permit/Coastal Development Permit LJS/CDP-96-0533 with modifications (Tan Residence).

(La Jolla Community Area. District-1.)

TODAY'S ACTION IS:

A motion either granting or denying the request for a hearing of the appeal.

NOTE: Pursuant to the requirements of the San Diego Municipal Code, no oral presentations shall be made to the Council by either the proponents or opponents of the project.

If the request to allow an appeal is granted, time has been reserved for the project to be heard on June 3, 1997 at 10:00 a.m.

RECOMMENDATIONS:

The Planning Commission voted 5 - 0 to deny the appeal and approval of LJS/CDP 96-0533 with modifications and subject to conditions.

Ayes: Butler, Neils, Quinn, Watson, White

Nays: None

Not present: Anderson, Skorepa

The La Jolla Community Planning Group has recommended approval.

SUPPORTING INFORMATION:

The appeal is being requested for a La Jolla Shores Planned District Permit/Coastal Development Permit to remodel and add a 1,773 square-foot second story addition to an existing 3,870 square-foot single-family residence on a 23,086 square-foot lot.

LEGAL DESCRIPTION:

The property is located at 7866 Hillside Drive, and is more particularly described as a portion of Lot 1285 of the Pueblo Lands of San Diego, Miscellaneous Map No. 36, and is located in the SF Zone of the La Jolla Shores Planned District in the La Jolla Community Plan Area.

FILE LOCATION: PERM - LJS/CDP-96-0533

COUNCIL ACTION: (Tape location: A210-221.)

MOTION BY MATHIS TO DENY THE REQUEST FOR A HEARING OF THE APPEAL BECAUSE THE CONDITIONS ESTABLISHED BY THE DEVELOPMENT SERVICES DEPARTMENT AND THE MODIFICATIONS MADE BY THE APPLICANT ADEQUATELY ADDRESSES THE ISSUE. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-311: PRESENTED

Presentation of the Fiscal Year 1998 Proposed Budget Document.

FILE LOCATION: BUDGET-Proposed (Records Series #7)

COUNCIL ACTION: (Tape location: G043-050.)

ITEM-330:

SUBJECT: Appeal of William A. Newman, et al, from the decision of the Planning Commission in approving Coastal Development Permit and La Jolla Shores Planned District Permit CDP/LJS-96-0112 (Service Station at Torrey Pines). (Process 4.)

(La Jolla Community Planning Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A; and adopt Subitem B to deny the appeal and grant the permits:

Subitem-A: (R-97-1214) ADOPTED AS RESOLUTION R-288628

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration LDR-96-0112 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines and that said declaration has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-97-1215) ADOPTED AS RESOLUTION R-288629  
DENYING THE APPEAL AND GRANTING  
THE PERMIT AS AMENDED

Adoption of a Resolution granting or denying the appeal and granting or denying the permits, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

Planning Commission voted 5-2 to approve the permits subject to conditions and to certify the Negative Declaration.

Ayes: Butler, Quinn, White, Watson and Skorepa  
Nays: Anderson, Neils  
Not present: None

The La Jolla Community Planning Association has recommended approval of this project.

In favor: 12 members  
Opposed: 0 members  
Abstentions: 2 members

CITY MANAGER SUPPORTING INFORMATION:

The project proposes: 1) classifying a "Mini Mart", in conjunction with an automobile service station, as being similar in character to other uses, including accessory uses, permitted in the La Jolla Shores Planned District Visitor Zone and 2) conditionally approving an application for a Coastal Development Permit and a La Jolla Shores Planned District Permit CDP/LJS-96-0112 to construct, use and maintain a restaurant and an automobile service station to include canopy covered fuel dispensers, and a "mini-mart". The 0.7 acre parcel is located at 7939 La Jolla Shores Drive and 2204 Torrey Pines Road (Portion of Lot 1286 of the Pueblo Lands of San Diego) in the La Jolla Community Plan Area in the La Jolla Shores Planned District Visitor Zone and in the Coastal Zone. The decision of the City Council is final.

LEGAL DESCRIPTION:

The 0.7 acre site is located at the corner of Torrey Pines Road and La Jolla Shores Drive. The site is zoned Visitor, a La Jolla Shores Planned District Ordinance (PDO) Zone, and is designated for Visitor Commercial development by the La Jolla Community. Both the pre-existing service station and restaurant have been demolished and the site is now vacant.

FILE LOCATION: PERM - CDP/LJS-96-0112

COUNCIL ACTION: (Tape location: A222-C435; D004-E130.)

Hearing began at 10:33 a.m. and recessed at 12:10 p.m.

Testimony in opposition by Greg Moser, Dennis Griffin, Sherry Leitner, Susan Stone, Sara Moser, James Enright, Kathleen McIntosh, Curtis Fitzpatrick, William Newman, Kate Adams, Flora Olsen, Marcy Robinson, Louise Arnold, David Kleinfeld, Phyllis Cohn, and Jan Mangus.

Testimony in favor by James Milch, Gunter Hirsch, Lynn Heidel, Moe Mayssami, Dick Smith, John Percival, Joan Nareau, Aurel Zdru, John Mraz, Jess Robbins, Ceslie Rossi, Dale Naegle, and Soulaf Assi.

MOTION BY MATHIS TO ADOPT THE RESOLUTIONS AS AMENDED WITH THE FOLLOWING MODIFICATIONS AND CONDITIONS AS STATED IN HIS MEMORANDUM TO THE MAYOR AND COUNCIL DATED MAY 6, 1997:

1. THE NEGATIVE DECLARATION HAS BEEN REVIEWED, CONSIDERED AND CERTIFIED.
2. THE PROJECT AS PROPOSED CONSISTING OF AN AUTOMOBILE SERVICE STATION AND A 2,735 SQUARE FOOT RESTAURANT STRUCTURE ARE APPROVED EXCEPT AS MODIFIED HEREIN. THESE MODIFICATIONS SHALL BE INCORPORATED INTO THE PERMIT CONDITIONS:
  - A. THE OPERATION OF THE AUTOMOBILE SERVICE STATION PORTION SHALL BE CONSISTENT WITH THE DEFINITION OF AN AUTOMOBILE SERVICE STATION CONTAINED IN MUNICIPAL CODE SECTION 101.0101.6.1 (AUTOMOBILE SERVICE STATION.) THE FOLLOWING USES ARE PERMITTED INCIDENTAL TO THE SALE OF GASOLINE: CASHIER SALES, SALES OF AUTO RELATED PRODUCTS AND SERVICES AS DEFINED IN THE PERMIT CONDITIONS, OFFICE, GENERAL STORAGE, RESTROOMS, AND UTILITY SPACE. THE REQUEST FOR A CLASSIFICATION OF USE TO ALLOW A MINI-MART FOR THE SALE OF NON-AUTO RELATED

PRODUCTS INCLUDING FOOD AND BEVERAGES IS DENIED.

- B. THE APPLICANT HAS IDENTIFIED 1,325 SQUARE FEET AS THE SPACE REQUIRED FOR NON MINI-MART USES ASSOCIATED WITH THE AUTOMOBILE SERVICE STATION PORTION. THE MAXIMUM SIZE OF THE PROPOSED MINI-MART STRUCTURE IS THEREFORE REDUCED FROM 2,510 SQUARE FEET TO 1,325 SQUARE FEET TO ACCOMMODATE THE NON MINI-MART USES IDENTIFIED IN PARAGRAPH 2.A ABOVE. THE SURPLUS AREA ON THE LOT AFTER THE BUILDING IS DESIGNED TO BE SMALLER SHALL BE USED TO CONTRIBUTE TO BRINGING THE LANDSCAPING COVERAGE REQUIREMENTS INTO COMPLIANCE WITH THE PDO OR, IF NOT REQUIRED, TO ENSURE ADEQUATE ON-SITE PARKING AS DETERMINED BY THE CITY MANAGER.
- C. HOURS OF OPERATION SHALL BE LIMITED TO 6:00 A.M. TO 12:00 MIDNIGHT. DURING OFF HOURS, LIGHTING SHALL BE REDUCED TO THE MINIMUM NECESSARY FOR REASONABLE SECURITY REQUIREMENTS.
- D. USE OF ANY AMPLIFIED SOUND SYSTEM OR OUTDOOR INTERCOM SYSTEM IS PROHIBITED.
- E. SIGNAGE SHALL BE MODIFIED AS APPROPRIATE TO ACCURATELY REFLECT THE PERMITTED USES AND BE IN COMPLIANCE WITH THE PDO.
- F. LANGUAGE BY THE CITY ATTORNEY REFLECTING INDEMNIFICATION REQUIREMENTS ON THE APPLICANT, IN THE EVENT THE ENVIRONMENTAL DOCUMENT IS CHALLENGED IN COURT, SHALL BE ADDED TO THE PERMIT CONDITIONS. SPECIFIC LANGUAGE HAS BEEN PROVIDED SEPARATELY BY THE CITY ATTORNEY.

Trailed to afternoon session.

Hearing resumed at 2:12 p.m. and halted at 3:03 p.m.

Second by Kehoe to Council Member Mathis motion made during the morning session.

Vote taken for everything except the Mini-Mart:  
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-not present, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-yea.

Motion by Mathis to limit the structure to 2,000 square feet allowing 400 square feet for retail purposes. No second.

AMENDED MOTION BY VARGAS TO LIMIT THE TORREY PINES SERVICE STATION STRUCTURE TO 2,000 SQUARE FEET ALLOWING A MINI-MART WHERE AMENITIES CAN BE SOLD, AND TO PROHIBIT THE PREPARATION OF FOOD. Second by Stevens. Passed by the following vote: Mathis-nay, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Otay Mesa-Nestor Community Plan Update, associated amendments to the Progress Guide and General Plan, and Amendments to the Local Coastal Program Land Use Plan.

(Otay Mesa-Nestor Community Area. Districts-2,8.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A, C, D, and E and introduce Subitem B:

Subitem-A: (R-97-1079) ADOPTED AS RESOLUTION R-288630

Adoption of a Resolution certifying that the information contained in final revised Environmental Negative Declaration DEP-95-0233 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration reflects the independent judgement of the City of San Diego as Lead Agency, and that the document has been reviewed and considered by the Council pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091.

Subitem-B: (O-97-103) INTRODUCED AS AMENDED TO BE  
ADOPTED ON MAY 27, 1997

Introduction of an Ordinance incorporating various properties within the Otay Mesa-Nestor Community Plan area into the A-1-10, M-1B, R1-40,000, R-3000, R-1500, CN, and CR Zones, and repealing the prior ordinances.

Subitem-C: (R-97-1077 Rev.) ADOPTED AS AMENDED AS  
RESOLUTION R-288631

Adoption of a Resolution approving the Otay Mesa-Nestor Public Facilities Financing Plan.

Subitem-D: (R-97-1076 Cor.Copy) ADOPTED AS RESOLUTION

R-288632

Adoption of a Resolution approving the 1996 Otay Mesa-Nestor Community Plan and associated amendments to the General Plan; and rescinding the 1978 Otay Mesa-Nestor Community Plan.

Subitem-E: (R-97-1078) ADOPTED AS AMENDED AS RESOLUTION  
R-288633

Adoption of a Resolution approving revisions to the Development Impact Fees (DIF) in the Otay Mesa-Nestor Community Planning Area.

OTHER RECOMMENDATIONS:

Planning Commission voted 6 - 0 to approve.

Ayes: Neils, Butler, Quinn, Skorepa, Watson, White  
Nays: None  
Not present: Anderson

The Otay Mesa-Nestor Community Planning Group has recommended approval.

SUPPORTING INFORMATION:

The Otay Mesa-Nestor Community Plan Update is a comprehensive revision of the 1979 Otay Mesa-Nestor Community Plan and Local Coastal Program Land Use Plan (LCP). Actions associated with the plan update include the following:

1. Consideration of the updated Otay Mesa-Nestor Community Plan. The community plan is a policy document that guides future land use and public facility decisions in the community and is updated periodically to reflect current needs;
2. Consideration of the Draft Otay Mesa-Nestor Public Facilities Financing Plan (PFFP) and Development Impact Fees;
3. Consideration of Amendments to the Progress Guide and General Plan and the Local Coastal Program;
4. Certification of Negative Declaration of Environmental Impact Report DEP-95-0233;
5. Consideration of rezones.

LEGAL DESCRIPTION:

The project is more particularly located in the southern portion of the City of San Diego. The community plan area is bounded on the north by the City of Chula Vista, and to the west by lower San Diego Bay and the City of Imperial Beach, to the south by the Tijuana River Valley and SR 905 and to the east by the Otay Mesa Community Planning Area and I-805.

FILE LOCATION: LAND-Otay Mesa-Nestor Community Plan

COUNCIL ACTION: (Tape location: E135-F289.)

Hearing began at 3:04 p.m. and halted at 3:55 p.m.

Testimony in favor by David Gomez, Ruth Schneider, Allen Jones, Steve Stingl, Diego Padilla, Evelyn Rayos, and Rodney Smith.

MOTION BY VARGAS TO ADOPT THE RESOLUTIONS FOR SUBITEMS A AND D, TO ADOPT THE RESOLUTIONS AS AMENDED FOR SUBITEMS C AND E, AND TO INTRODUCE THE ORDINANCE AS AMENDED FOR SUBITEM B TO MOVE STAFF'S RECOMMENDATION AND TO RETAIN FIRE STATION NUMBER SIX AS RECOMMENDED BY THE PLANNING COMMISSION. TO INCLUDE IN THE MOTION COUNCIL MEMBER McCARTY'S SUGGESTION TO REVIEW THE NEED FOR TWO FIRE STATIONS BEFORE FUNDING THE RECONSTRUCTION AND EXPANSION OF FIRE STATION NUMBER SIX AND BEFORE BUILDING A NEW FIRE STATION, AND TO ACCEPT COUNCIL MEMBER WEAR'S MEMO DATED MAY 5, 1997 REQUESTING COUNCIL TO: 1) RETAIN THE CURRENT OPEN SPACE DESIGNATION AND CURRENT ZONING UNTIL THE SPECIAL STUDY ANALYSIS AND PLANNING HAS BEEN COMPLETED. REFERENCES TO SUCH REZONES ON PAGES 1.3 AND 1.5 SHOULD BE DELETED; 2) ADOPT REVISIONS TO APPENDIX 1B - SALT PONDS - SPECIAL STUDY AREA; 3) INCORPORATE THE FOLLOWING LANGUAGE UNDER THE COMMUNITY VISION FOR SALT PONDS WITHIN PART 1 OF 3 OF THE PLAN, "PROVIDING A COMBINATION OF BENEFITS INCLUDING SALT PRODUCTION, PRESERVATION OF SENSITIVE WILDLIFE HABITAT, RECREATION AND ECONOMIC DEVELOPMENT, THE SALT PONDS WILL BECOME THE WESTERN GATEWAY TO THE OTAY VALLEY REGIONAL PARK AND AN INTEGRAL PART OF THE SOUTH SAN DIEGO BAY NATIONAL WILDLIFE REFUGE. SELECT AREAS WILL BE DEVELOPED IN WAYS TO ENHANCE THE PALM AVENUE CORRIDOR, PROMOTE ECONOMIC REVITALIZATION, AND IMPROVE ACCESS AND CIRCULATION IN THE AREA. JUST AS FRESHWATER HABITATS ARE LINKED TO THE BAY, SO TOO WILL RESIDENTS BE LINKED TO NEIGHBORING COMMUNITIES BY AN EXTENSIVE TRAIL SYSTEM INCLUDING THE BAYSHORE BIKEWAY. NEW DEVELOPMENT WILL BE DESIGNED TO PRESERVE AND BE COMPATIBLE WITH THE SENSITIVE BIOLOGICAL RESOURCES OF SOUTH SAN DIEGO BAY WHILE PROVIDING AN ECONOMIC STIMULUS THROUGH CREATIVE SITE PLANNING AND

DESIGN"; AND 4) ON BEHALF OF THE EGGER HIGHLANDS RESIDENTS, THAT THE COMMUNITY PLANNING SUB-AREA THAT DEALS WITH THE PORTION OF THE PROPERTY WEST OF SATURN BOULEVARD, EAST OF THE CITY OF IMPERIAL BEACH, NORTH OF SUNSET AVENUE AND SOUTH OF SAN DIEGO BAY (COUNCIL DISTRICT TWO) BE REFERRED TO AS "EGGER HIGHLANDS" THROUGHOUT THE PLAN. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: An appeal of David Broidie from the decision of the Planning Commission in approving the Conditional Use Permit CUP-95-0365 (Airtouch/Regents).

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A; adopt Subitem B to deny the appeal and grant the permit:

Subitem A: (R-97-1222) ADOPTED AS RESOLUTION R-288634

Adoption of a Resolution certifying that the information contained in the Negative Declaration DEP-95-0365 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-97-1223) ADOPTED AS RESOLUTION R-288635  
DENYING THE APPEAL AND  
GRANTING THE PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

Planning Commission voted 4-0 to approve; was opposition.

Ayes: Neils, Butler, Watson, White  
Abstaining: Quinn  
Not Present: Anderson, Skorepa

The University Community Planning Group has recommended approval of this project.

SUPPORTING INFORMATION:

The project proposes the construction and operation of a wireless communication facility consisting of the replacement of a 36-foot high wood antenna support structure with a 42-foot high, metal support structure supporting two racks of directional, omni-directional and dish antennas. The site is designated for commercial use in the Community Plan and is zoned commercial neighborhood (CN). The project is located at the rear of an existing shopping center on a 720-square-foot portion of a 6.83 acre lot on the northeast corner of the intersection of Governor Drive and Regents Road. The project site is surrounded by residential development to the north, east, and south and commercial development to the west.

LEGAL DESCRIPTION:

The subject property is more particularly described as Lot 1, Regents Road Commercial Center, Map-4973, University Community Plan Area.

FILE LOCATION: PERM CUP-95-0365

COUNCIL ACTION: (Tape location: F296-G033.)

Hearing began at 3:57 p.m. and halted at 4:16 p.m.

Council Member Stevens left at 4:10 p.m.

Testimony in opposition by David Broide and Marvin Svoboda.

Testimony in favor by Kevin McGee and Mark Linman.

MOTION BY MATHIS TO ADOPT THE RESOLUTION FOR SUBITEM A AND TO ADOPT THE RESOLUTION FOR SUBITEM B TO DENY THE APPEAL AND GRANT THE PERMIT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Alley Vacation - Pedestrian and Non-Motor Vehicle Access Right-of-Way in Block 12, Map-478 as part of the Sherman Heights Neighborhood Revitalization.

(Sherman Heights Neighborhood, Southeast San Diego  
Community Plan Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-1044) ADOPTED AS RESOLUTION R-288627

Approving the vacation of the pedestrian alley in Block 12, Map-478 as part of the Sherman Heights Neighborhood Revitalization Program, in accordance with the Public Streets, Highways and Service Easement Vacation Law 8334(a);

Reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature;

Declaring that the easements reserved herein are in, under, over, upon, along and across the entire vacated area of the pedestrian alley in Block 12, Map-478.

CITY MANAGER SUPPORTING INFORMATION:

The abutting property owners have requested the vacation of the alley for pedestrian access (area-of-vacation) in Block 12, Map-478 to remove an identified public nuisance (loitering, drug dealings, vandalism and discarded trash) which occurs in this area and restore it to private ownership. The alley provides only secondary access and is found to be excess right-of-way by City staff. The area-of-vacation is located in the Sherman Heights Community Plan Area and is situated in a MF-3000 Zone. The area-of-vacation totals 285 square feet and will revert to the abutting properties as additional property with public easement reservations. With the help of the Sherman Heights Revitalization Team, the area-of-vacation will become closed to the general public with the installation of fencing. The fencing in these locations shall have gates so that this area can remain accessible for use by City personnel as needed for maintenance of the public facilities. A public service easement for the existing or future facilities shall be reserved from the vacation.

FILE LOCATION: STRT J-2865 DEEDFY97-1

COUNCIL ACTION: (Tape location: A169-190.)

Hearing began at 10:30 a.m. and halted at 10:31 a.m.

CONSENT MOTION BY McCARTY TO ADOPT THE RESOLUTIONS FOR ITEMS 333 AND 334. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Request to Bid Off-Site Public Improvements for the Chinese Consolidated Benevolent Association (CCBA) Project.

(See Memorandum from CCDC dated 4/11/97. Marina Sub Area of the Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-97-1074) ADOPTED AS RESOLUTION R-288840

Making certain findings with respect to the payments for the construction of improvements for the Chinese Consolidated Benevolent Association Project for the Marina Sub Area of the Centre City Redevelopment Project;

Finding and determining that the improvements for the Chinese Consolidated Benevolent Association Project are consistent with the Implementation Plan adopted for the project by the Redevelopment Agency on June 21, 1994;

Authorizing the Centre City Development Corporation to Bid and construct the improvements.

NOTE: See the Redevelopment Agency Agenda of May 6, 1997 for a companion item.

FILE LOCATION: LEAS - Chinese Consolidated Benevolent Association (CCBA)

COUNCIL ACTION: (Tape location: A169-190.)

CONSENT MOTION BY McCARTY TO ADOPT THE RESOLUTIONS FOR ITEMS 333 AND 334. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S400: CONTINUED TO MAY 13, 1997

(Continued from the meeting of April 28, 1997, Item 202, at the City Manager's request, for uncompleted work related to the item.)

SUBJECT: Contracts with Fire & Life Safety Services and Rural/Metro Corporation for Emergency Medical and Medical Transportation Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-1158)

Authorizing and directing the City Manager to enter into the necessary agreements between the City, Fire and Life Safety Services and Rural/Metro Corporation, to provide emergency medical and medical transportation services consistent with the Request for Proposals and the responding Proposal from Fire & Life Safety Services.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A160-168.)

MOTION BY MATHIS TO CONTINUE THIS ITEM FOR ONE WEEK SINCE ALL THE BUDGET NUMBERS HAVE NOT BEEN PRESENTED TO COUNCIL. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-CS-1: (R-97-1035) ADOPTED AS RESOLUTION R-288636

A Resolution adopted by the City Council in Closed Session on May 6, 1997:

Authorizing the City Manager to pay the sum of \$75,504.00 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from property damage to Bernardo Heights Country Club; authorizing the City Auditor and Comptroller to issue one check in the amount of \$75,504.00 made payable to Bernardo Heights Country Club and Matthew A. Peterson, their attorney of

record, in full settlement of all claims.

Aud. Cert. 9700976

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:20 p.m. in honor of the memory of Tomas Rimoldi as requested by Mayor Golding and in honor of the memory of Dr. Julia Zalokar as requested by Council Member Mathis.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G060.)